

## Text of Modified Regulations

The Department has illustrated changes to the originally proposed language as follows: originally proposed language is shown in regular text; deletions from the originally proposed language are shown in strikethrough using a “-”; and additions to the originally proposed language are shown with an underline.

### Chapter 12.8 Department of Justice Regulations for Assault Weapons and Large Capacity Magazines

#### Article 2. Definitions of Terms Used to Identify Assault Weapons

##### ~~978.20~~ 5469. Definitions

The following definitions apply to terms used in the identification of assault weapons pursuant to Penal Code section 12276.1:

- (a) “detachable magazine” means any ammunition feeding device that can be removed readily from the firearm with neither disassembly of the firearm action nor use of a tool being required. A bullet or ammunition cartridge is considered a tool. Ammunition feeding device includes any belted or linked ammunition, but does not include clips, en bloc clips, or stripper clips that load cartridges into the magazine.
- (b) “flash suppressor” means any device designed, intended, or that functions to perceptibly reduce or redirect muzzle flash from the shooter’s field of vision.
- (c) “forward pistol grip” means a grip that allows for a pistol style grasp forward of the trigger.
- (d) “pistol grip that protrudes conspicuously beneath the action of the weapon” means a grip that allows for a pistol style grasp in which the web of the trigger hand (between the thumb and index finger) can be placed below the top of the exposed portion of the trigger while firing.
- (e) “thumbhole stock” means a stock with a hole that allows the thumb of the trigger hand to penetrate into or through the stock while firing.
- (f)(1) “capacity to accept a detachable magazine” means ~~capable of accommodating a detachable magazine, but shall not be construed to include a firearm that has been permanently altered so that it cannot accommodate a detachable magazine.~~ currently able to receive a detachable magazine or readily modifiable to receive a detachable magazine.

- (2) A firearm is readily modifiable to receive a detachable magazine if it has a device that prevents the magazine from being released but allows the firearm to accept a detachable magazine when the device is removed, reversed, or disengaged, without alterations to the magazine well.
- (3) A firearm is not readily modifiable to receive a detachable magazine if, for example:
  - (A) it does not have a magazine well;
  - (B) the magazine is fixed to the receiver by a continuous ribbon of welding around the perimeter of the magazine well, or by multiple ribbons of welding that are each at least one half inch in length;
  - (C) the magazine is fixed to the receiver with a rivet (or other irreversible locking device) that is driven through the magazine well and fixed in place with epoxy; or
  - (D) the modification requires disassembly of the action.

NOTE: Authority cited: Section 12276.5(i), Penal Code.

Reference: Sections 12276.1, 12276.5, 12280, 12285, and 12289, Penal Code.